

NOV - 8 2005

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 BINGHAM McCUTCHEN LLP  
2 DAVID M. BALABANIAN (SBN 37368)  
3 CHRISTOPHER B. HOCKETT (SBN 121539)  
4 JOY K. FUYUNO (SBN 193890)  
5 Three Embarcadero Center  
6 San Francisco, CA 94111-4067  
7 Telephone: (415) 393-2000  
8 Facsimile: (415) 393-2286  
9  
10 Attorneys for Defendant  
11 Intel Corporation

7

12 MICHAEL BRAUCH, a resident of San  
Francisco, and ANDREW MEIMES, a resident  
13 of New York, on behalf of themselves and all  
others similarly situated,

15 v. Plaintiffs,

**16** INTEL CORPORATION, a Delaware corporation.

Defendant.

No. C-05-2743-MHP

**STIPULATION AND [PROPOSED]  
ORDER TO STAY DATES, EVENTS  
AND DEADLINES PENDING THE  
OUTCOME OF THE MOTION TO  
TRANSFER AND COORDINATE OR  
CONSOLIDATE PURSUANT TO  
28 U.S.C. § 1407**

19

20 WHEREAS, on July 5, 2005, Plaintiffs filed the instant action in the Northern  
21 District of California (“Brauch Action”);

22 WHEREAS, on or about July 11, 2005, Plaintiffs moved before the Judicial Panel  
23 on Multi-District Litigation ("MDL") to transfer and coordinate or consolidate for pre-trial  
24 proceedings pursuant to 28 U.S.C. § 407 ("MDL Motion");

25

26

1                   WHEREAS, on or about July 27, 2005, Judge Patel issued a Related Case Order  
2 relating this case to an earlier filed case assigned to her, and canceling or staying certain but not  
3 all dates, events and deadlines in the action;

4 WHEREAS, to date, a decision has not been rendered on the MDL Motion;

5 WHEREAS, the outcome of the MDL Motion will impact significantly the  
6 schedule of this case;

7 THEREFORE, IT IS HEREBY STIPULATED, pursuant to Civil Local Rule 6-2,  
8 by and among counsel for Brauch Plaintiffs and counsel for Defendant Intel Corporation, that  
9 any events, dates or deadlines set by the Local Rules or Federal Rules of Civil Procedure,  
0 including the Local Rules for Alternative Dispute Resolution (“ADR Local Rules”) and Federal  
1 Rules of Civil Procedure 16 and 26, and any deadlines established in any case management order  
2 applicable to this case should be stayed pending the outcome of the aforementioned MDL  
3 Motion; and

14 IT IS FURTHER STIPULATED by the aforementioned parties that if a case  
15 management conference is rescheduled by the Court, the parties shall adjust the dates for any  
16 conference, disclosures or reports required by the Local Rules or Federal Rules of Civil  
17 Procedure, including the ADR Local Rules and Federal Rules of Civil Procedure 16 and 26  
18 accordingly.

**19** IT IS HEREBY STIPULATED.

**20** Dated: October 31, 2005

## THE FURTH FIRM LLP

LAW OFFICES OF FRANCIS O.  
SCARPULLA

23 ZELLE, HOFFMANN, VOELBEL, MASON & GETTE LLP

25 By: /s/ Alex C. Turan  
26 Alex C. Turan  
Attorneys for Plaintiffs  
Michael Brauch and Andrew Meimes

**1** Dated: October 31, 2005

## BINGHAM McCUTCHEN LLP

By: /s/ Joy K. Fuyuno  
Joy K. Fuyuno  
Attorneys for Defendant  
Intel Corporation

**[PROPOSED] ORDER TO STAY DATES, EVENTS AND DEADLINES  
PENDING THE OUTCOME OF THE MDL MOTION**

9 Any events, dates or deadlines set by the Local Rules or Federal Rules of Civil  
10 Procedure, including the Local Rules for Alternative Dispute Resolution (“ADR Local Rules”)  
11 and Federal Rules of Civil Procedure 16 and 26, and any deadlines established in any case  
12 management order applicable to this case are hereby stayed pending the outcome of the motion  
13 to transfer and coordinate or consolidate pursuant to 28 U.S.C. § 1407 (“MDL Motion”).

14                   Upon the determination of the MDL Motion, if it is necessary for the Court to  
15    reschedule a case management conference, the parties shall adjust the dates for any conference,  
16    disclosures or reports required by the ADR Local Rules and Federal Rules of Civil Procedure 16  
17    and 26 accordingly.

18 The parties shall notify the Clerk of Court within 10 days of the decision on the  
19 MDL Motion.

20 IT IS SO ORDERED.

21 Dated: 11/17/05

Honorable Marilyn H. Patel  
United States District Court Judge

26